1 2 3 4 5 UNITED STATES DISTRICT COURT DISTRICT OF NEVADA 6 7 8 PARIS G. AREY, et al., 9 Plaintiffs, Case No. 2:13-cv-01372-APG-GWF 10 SEALED ORDER VS. 11 BOUARI INTERNATIONAL FRANCHISE, LLC, Ex Parte Motion for Service by Publication (#10) et al., 12 Defendants. 13 This matter comes before the Court on Plaintiffs' Ex Parte Motion for Service by 14 15 Publication (#10), filed on October 24, 2013. An ex parte motion or application is one that is filed with the Court, but is not served upon the opposing or other parties. See Local Rule 7-5(a). All ex 16 17 parte motions must contain a statement showing good cause why the matter was submitted to the Court without notice to all parties. See Local Rule 7-5(b). Ex parte and emergency motions are 18 19 distinct. Motions may be submitted *ex parte* only for compelling reasons, and not for emergency 20 motions. See Local Rule 7-5(b) Emergency motions must be so titled and must state the nature of 21 the emergency. See Local Rule 7-5(d)(1)-(3). Certain defendants have entered appearances in this 22 case, but Plaintiffs do not state within the instant ex parte Motion good cause why it was not served 23 on all parties. Accordingly, 24 25 26 27 28

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IT IS HEREBY ORDERED that Plaintiffs' Ex Parte Motion for Service by Publication (#10) is **denied** without prejudice. Plaintiffs are instructed to re-file the Motion either without *ex parte* designation, or with a statement of good cause.

DATED this 30th day of October, 2013.

GEORGE FOLEY, JR.
United States Magistrate Judge